

JS 44C/SDNY
REV. 06/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Hamy Anthony Hai

DEFENDANTS
First Data Corporation and Fiserv, Inc.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
OlanderFeldman LLP - 1180 Avenue of the Americas, 8th Floor
New York, New York 10036
908-964-2485

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 1332(a) (Diversity Jurisdiction – State law claims.); and 15 U.S.C. § 1681 (Fair Credit Reporting Act)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned _____

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

| | | TORTS | ACTIONS UNDER STATUTES | | | |
|--|---|---|--|----------------------------------|--|--|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES | |
| [] 110 INSURANCE | [] 310 AIRPLANE | [] 387 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY | [] 625 DRUG RELATED SEIZURE OF PROPERTY | [] 422 APPEAL 28 USC 158 | [] 375 FALSE CLAIMS | |
| [] 120 MARINE | [] 315 AIRPLANE PRODUCT LIABILITY | [] 365 PERSONAL INJURY PRODUCT LIABILITY | [] 21 USC 881 | [] 423 WITHDRAWAL 28 USC 157 | [] 376 QUI TAM | |
| [] 130 MILLER ACT | [] 320 ASSAULT, LIBEL & SLANDER | [] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY | [] 690 OTHER | | [] 400 STATE REAPPORTIONMENT | |
| [] 140 NEGOTIABLE INSTRUMENT | [] 330 FEDERAL EMPLOYERS' LIABILITY | | | | [] 410 ANTITRUST | |
| [] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT | [] 340 MARINE | | | | [] 430 BANKS & BANKING | |
| [] 151 MEDICARE ACT | [] 345 MARINE PRODUCT LIABILITY | | | | [] 450 COMMERCE | |
| [] 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS) | [] 350 MOTOR VEHICLE | [] 370 OTHER FRAUD | | | [] 460 DEPORTATION | |
| | [] 355 MOTOR VEHICLE PRODUCT LIABILITY | [] 371 TRUTH IN LENDING | | | [] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO) | |
| [] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS | [] 360 OTHER PERSONAL INJURY | [] 380 OTHER PERSONAL PROPERTY DAMAGE | | | [] 480 CONSUMER CREDIT | |
| [] 160 STOCKHOLDERS SUITS | [] 362 PERSONAL INJURY - MED MALPRACTICE | [] 385 PROPERTY DAMAGE PRODUCT LIABILITY | | | [] 490 CABLE/SATELLITE TV | |
| [x] 190 OTHER CONTRACT | | | | | | |
| [] 195 CONTRACT PRODUCT LIABILITY | | | | | | |
| [] 196 FRANCHISE | | | | | | |
| ACTIONS UNDER STATUTES | | PRISONER PETITIONS | IMMIGRATION | | | |
| | | [] 463 ALIEN DETAINEE | [] 441 VOTING | | | |
| | | [] 510 MOTIONS TO VACATE SENTENCE | [] 442 EMPLOYMENT | | | |
| | | 28 USC 2255 | [] 443 HOUSING/ACCOMMODATIONS | | | |
| | | | [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT | | | |
| | | | [] 446 AMERICANS WITH DISABILITIES - OTHER | | | |
| | | | [] 448 EDUCATION | | | |
| REAL PROPERTY | | | | | | |
| [] 210 LAND CONDEMNATION | [] 441 VOTING | | | | | |
| [] 220 FORECLOSURE | [] 442 EMPLOYMENT | | | | | |
| [] 230 RENT LEASE & EJECTION | [] 443 HOUSING/ | PRISONER CIVIL RIGHTS | IMMIGRATION | | | |
| [] 240 TORTS TO LAND | [] 444 ACCOMMODATIONS | [] 550 CIVIL RIGHTS | [] 462 NATURALIZATION APPLICATION | | | |
| [] 245 TORT PRODUCT LIABILITY | [] 445 AMERICANS WITH DISABILITIES - OTHER | [] 555 PRISON CONDITION | [] 465 OTHER IMMIGRATION ACTIONS | | | |
| [] 290 ALL OTHER REAL PROPERTY | | [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT | | | | |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| | | | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) | | | |
| <input type="checkbox"/> a. all parties represented | | | | | | |
| <input type="checkbox"/> b. At least one party is pro se. | | | | | | |

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

BASIS OF JURISDICTION**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | | | | | |
|--------------------------|--|---|--|---|--|
| CITIZEN OF THIS STATE | <input type="checkbox"/> PTF <input type="checkbox"/> DEF [] 1 [] 1 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> PTF DEF [] 3 [] 3 | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | <input type="checkbox"/> PTF <input type="checkbox"/> DEF [] 5 [] 5 |
| CITIZEN OF ANOTHER STATE | <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 2 | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4 | FOREIGN NATION | <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Hamy Anthony Hai; 7935 East Drive, Apt. 401; North Bay Village, FL 33141

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

First Data Corporation; 225 Liberty Street, 29th Floor, Manhattan, New York 10281

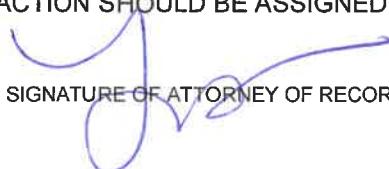
Fiserv, Inc.; 255 Fiserv Drive, Brookfield, Wisconsin 53045

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTANDATE 9/6/19SIGNATURE OF ATTORNEY OF RECORD 

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

 YES (DATE ADMITTED Mo. Jan. _____ Yr. 2009 _____)

Attorney Bar Code #LM7777

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)